



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/023,873

12/21/2001

Takashi Yagita

35.C16076

4668

5514

7590

07/27/2006

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

POKRZYWA, JOSEPH R

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,873

Applicant(s)

YAGITA, TAKASHI

Examiner

Joseph R. Pokrzywa

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,8-14,16-20,23-29,31 and 35-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,8-14,16-20,23-29,31 and 35-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/15/06 has been entered.

Response to Amendment

2. Applicant's amendment was received on 5/15/06, and has been entered and made of record. Currently, **claims 1-5, 8-14, 16-20, 23-29, 31, and 35-39** are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-5, 8-14, 16-20, 23-29, 31, and 35-39** are rejected under 35 U.S.C. 102(e) as being anticipated by Mochizuki (U.S. Patent Application Publication 2002/0001495).

Regarding **claim 1**, Mochizuki discloses an information processing apparatus (see Figs. 1-5, host 10) comprising a holding unit adapted to hold print data (paragraphs 0047-0048), an issuing unit adapted to issue reference information corresponding to the print data held by the holding unit, to both of a first printing apparatus and a second printing apparatus (paragraphs 0010, 0041, and 0045), and a transmission control unit adapted to control to transmit the print data to the first printing apparatus and not to transmit the print data to the second printing apparatus, in a case where an acquisition request of the print data transmitted from the first printing apparatus based on the reference information is received prior to an acquisition request to the print data transmitted from the second printing apparatus based on the reference information (paragraphs 0010, 0041, and 0045).

Regarding **claim 2**, Mochizuki discloses the apparatus discussed above in claim 1, and further teaches that the issuing unit is a Web server function processing means (paragraphs 0040-0041).

Regarding **claim 3**, Mochizuki discloses the apparatus discussed above in claim 1, and further teaches that the print data is transmitted via the predetermined communication medium (paragraphs 0041, 0045, 0047-0048), the apparatus further comprising a receiving unit adapted to receive print data that is transmitted via a predetermined communication medium (paragraphs 0041, 0045, 0047-0048), wherein the holding unit holds print data received by the receiving unit and the issuing unit issues reference information for performing pull print corresponding to the print data held in the holding unit (paragraphs 0041, 0045, 0047-0048).

Regarding **claim 4**, Mochizuki discloses the apparatus discussed above in claim 1, and further teaches of a notifying unit adapted to notify a second information processing apparatus,

which is made communicatable via a predetermined communication medium, of the reference information (paragraphs 0041, 0045, 0047-0048).

Regarding *claim 5*, Mochizuki discloses the apparatus discussed above in claim 1, and further teaches of a recognizing unit adapted to recognize whether or not the printing apparatus that is made communicatable via the predetermined communication medium corresponds to pull print (paragraphs 0041, 0045, 0047-0048), and a determining unit adapted to determine whether a print request for push print or a print request for pull print is issued to the printing apparatus according to recognition of the recognizing unit (paragraphs 0041, 0045, 0047-0048).

Regarding *claim 8*, Mochizuki discloses the apparatus discussed above in claim 2, and further teaches that the predetermined protocol is an Internet printing protocol (paragraphs 0040-0041).

Regarding *claim 9*, Mochizuki discloses the apparatus discussed above in claim 2, and further teaches that a print request in compliance with the predetermined protocol is a Pull request for obtaining the print data (paragraphs 0040-0041, 0045, 0047-0048), and the Pull request includes at least a GET method of an HTTP protocol or a get subcommand of an FTP protocol (paragraphs 0040-0045).

Regarding *claim 10*, Mochizuki discloses the apparatus discussed above in claim 1, and further teaches that the reference information for performing pull print is information for specifying a storing place of print data stored in a storage unit and includes at least a URL (paragraphs 0040-0041, and 0048).

Regarding *claim 11*, Mochizuki discloses the apparatus discussed above in claim 1, and further teaches of deleting unit adapted to delete the print data held in the holding means

according to a response from the print apparatus to which the print data is transferred (paragraphs 0050-0052, and 0055-0056).

Regarding *claim 12*, Mochizuki discloses the apparatus discussed above in claim 11, and further teaches that the deleting unit recognizes information for instruction whether or not the print data held in the holding unit is to be deleted and controls to switch whether or not the print data is to be deleted according to the recognition (paragraphs 0050-0052, and 0055-0056).

Regarding *claim 13*, Mochizuki discloses the apparatus discussed above in claim 2, and further teaches that the Web server function processing unit manages the print data held in the holding unit and starts server function processing for performing Web server function processing in compliance with a predetermined protocol when a print request is issued from an application to a printing system (paragraphs 0040-0041, 0045, 0047-0048).

Regarding *claim 14*, Mochizuki discloses the apparatus discussed above in claim 13, and further teaches that the printing system includes a printer driver and a print spooler (paragraph 0041, see Fig. 7).

Regarding *claim 16*, Mochizuki discloses an information processing method (see Figs. 1-5, host 10) comprising a step of holding print data (paragraphs 0047-0048), a step of issuing reference information corresponding to the print data held in the holding step, to both of a first printing apparatus and a second printing apparatus (paragraphs 0010, 0041, and 0045), and a step of controlling to transmit the print data to the first printing apparatus and not to transmit the print data to the second printing apparatus, in a case where an acquisition request of the print data transmitted from the first printing apparatus based on the reference information is received prior

to an acquisition request to the print data transmitted from the second printing apparatus based on the reference information (paragraphs 0010, 0041, and 0045).

Regarding *claim 17*, Mochizuki discloses the method discussed above in claim 16, and further teaches that the issuing step is a Web server function processing step in compliance with a predetermined protocol (paragraphs 0040-0041).

Regarding *claim 18*, Mochizuki discloses the method discussed above in claim 16, and further teaches that the print data is transmitted via the predetermined communication medium (paragraphs 0041, 0045, 0047-0048), the method further comprising a step of receiving print data that is transmitted via a predetermined communication medium (paragraphs 0041, 0045, 0047-0048), wherein the holding step holds print data received in the receiving step and the issuing step issues reference information for performing pull print corresponding to the print data held in the holding step (paragraphs 0041, 0045, 0047-0048).

Regarding *claim 19*, Mochizuki discloses the method discussed above in claim 16, and further teaches of a step of notifying a second information processing apparatus, which is made communicatable via a predetermined communication medium, of the reference information (paragraphs 0041, 0045, 0047-0048).

Regarding *claim 20*, Mochizuki discloses the method discussed above in claim 16, and further teaches of a step of recognizing whether or not the printing apparatus that is made communicatable via the predetermined communication medium corresponds to pull print (paragraphs 0041, 0045, 0047-0048), and a step of determining whether a print request for push print or a print request for pull print is issued to the printing apparatus according to recognition of the recognizing step (paragraphs 0041, 0045, 0047-0048).

Regarding **claim 23**, Mochizuki discloses the method discussed above in claim 17, and further teaches that the predetermined protocol is an Internet printing protocol (paragraphs 0040-0041).

Regarding **claim 24**, Mochizuki discloses the method discussed above in claim 17, and further teaches that a print request in compliance with the predetermined protocol is a Pull request for obtaining the print data (paragraphs 0040-0041, 0045, 0047-0048), and the Pull request includes at least a GET method of an HTTP protocol or a get subcommand of an FTP protocol (paragraphs 0040-0045).

Regarding **claim 25**, Mochizuki discloses the method discussed above in claim 16, and further teaches that the reference information for performing pull print is information for specifying a storing place of print data stored in a storage unit and includes at least a URL (paragraphs 0040-0041, and 0048).

Regarding **claim 26**, Mochizuki discloses the method discussed above in claim 16, and further teaches of a step of deleting the print data held in the holding step according to a response from the print apparatus to which the print data is transferred (paragraphs 0050-0052, and 0055-0056).

Regarding **claim 27**, Mochizuki discloses the method discussed above in claim 26, and further teaches that the deleting step recognizes information for instruction whether or not the print data held in the holding step is to be deleted and controls to switch whether or not the print data is to be deleted according to the recognition (paragraphs 0050-0052, and 0055-0056).

Regarding **claim 28**, Mochizuki discloses the method discussed above in claim 17, and further teaches that the Web server function processing step manages the print data held in the

Art Unit: 2625

holding step and starts server function processing for performing Web server function processing in compliance with a predetermined protocol when a print request is issued from an application to a printing system (paragraphs 0040-0041, 0045, 0047-0048).

Regarding *claim 29*, Mochizuki discloses the method discussed above in claim 28, and further teaches that the printing system includes a printer driver and a print spooler (paragraph 0041, see Fig. 7).

Regarding *claim 31*, Mochizuki discloses a computer readable storage medium storing a program (see Figs. 1-5, application unit 16 in host 10, paragraph 0041) for executing a step of holding print data (paragraphs 0047-0048), a step of issuing reference information corresponding to the print data held in the holding step, to both of a first printing apparatus and a second printing apparatus (paragraphs 0010, 0041, and 0045), and a step of controlling to transmit the print data to the first printing apparatus and not to transmit the print data to the second printing apparatus, in a case where an acquisition request of the print data transmitted from the first printing apparatus based on the reference information is received prior to an acquisition request to the print data transmitted from the second printing apparatus based on the reference information (paragraphs 0010, 0041, and 0045).

Regarding *claim 35*, Mochizuki discloses the apparatus discussed above in claim 1, and further teaches that the transmission control unit controls to transmit an error to the other printing apparatus, from among the plurality of printing apparatuses, which requested to acquire the print data after the print data was transmitted (paragraphs 0040-0041, 0045, 0047-0048).

Regarding *claim 36*, Mochizuki discloses the method discussed above in claim 16, and further teaches that the transmission control step is adapted to control to transmit an error to the

other printing apparatus, from among the plurality of printing apparatuses, which requested to acquire the print data after the print data was transmitted (paragraphs 0040-0041, 0045, 0047-0048).

Regarding *claim 37*, Mochizuki discloses an information processing apparatus (see Figs. 1-5, host 10) comprising a holding unit adapted to hold print data (paragraphs 0047-0048), an issuing unit adapted to issue reference information corresponding to the print data held by the holding unit, to a plurality of printing apparatuses (paragraphs 0010, 0041, and 0045), a receiving unit adapted to receive an acquisition request of the print data, transmitted from any of the plurality of printing apparatuses based on the reference information (paragraphs 0040-0041, 0045, 0047-0048), a judging unit adapted to judge whether or not the acquisition request received by the receiving unit is the acquisition request first received in regard to the print data (paragraphs 0040-0041, 0045, 0047-0048), and a transmission control unit adapted to control to transmit the print data to a print apparatus which transmitted the acquisition request in a case where it is judged by the judging unit that the received acquisition request is the first-received acquisition request (paragraphs 0010, 0041, and 0045), and not to transmit the print data to the print apparatus which transmitted the acquisition request in a case where it is not judged by the judging unit that the received acquisition request is the first-received acquisition request (paragraphs 0010, 0041, and 0045).

Regarding *claim 38*, Mochizuki discloses an information processing method (see Figs. 1-5, host 10) comprising a holding step of holding print data (paragraphs 0047-0048), an issuing step of issuing reference information corresponding to the print data held in the holding step, to a plurality of printing apparatuses (paragraphs 0010, 0041, and 0045), a receiving step of receiving

an acquisition request of the print data, transmitted from any of the plurality of printing apparatuses based on the reference information (paragraphs 0040-0041, 0045, 0047-0048), a judging step of judging whether or not the acquisition request received in the receiving step is the acquisition request first received in regard to the print data (paragraphs 0040-0041, 0045, 0047-0048), and a transmission control step of transmitting the print data to a print apparatus which transmitted the acquisition request in a case where it is judged in the judging step that the received acquisition request is the first-received acquisition request (paragraphs 0010, 0041, and 0045), and not to transmit the print data to the print apparatus which transmitted the acquisition request in a case where it is not judged in the judging step that the received acquisition request is the first-received acquisition request (paragraphs 0010, 0041, and 0045).

Regarding *claim 39*, Mochizuki discloses a storage medium which stores a computer readable program (see Figs. 1-5, application unit 16 in host 10, paragraph 0041) for executing an information processing method comprising a holding step of holding print data (paragraphs 0047-0048), an issuing step of issuing reference information corresponding to the print data held in the holding step, to a plurality of printing apparatuses (paragraphs 0010, 0041, and 0045), a receiving step of receiving an acquisition request of the print data, transmitted from any of the plurality of printing apparatuses based on the reference information (paragraphs 0040-0041, 0045, 0047-0048), a judging step of judging whether or not the acquisition request received in the receiving step is the acquisition request first received in regard to the print data (paragraphs 0040-0041, 0045, 0047-0048), and a transmission control step of transmitting the print data to a print apparatus which transmitted the acquisition request in a case where it is judged in the judging step that the received acquisition request is the first-received acquisition request

Art Unit: 2625

(paragraphs 0010, 0041, and 0045), and not to transmit the print data to the print apparatus which transmitted the acquisition request in a case where it is not judged in the judging step that the received acquisition request is the first-received acquisition request (paragraphs 0010, 0041, and 0045).

Citation of Pertinent Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Yamazaki (U.S. Patent Number 6,785,727) discloses a system that processes printing reservations.

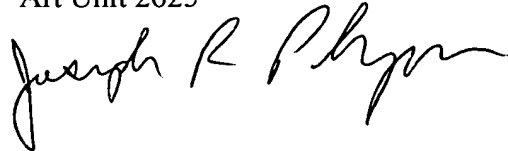
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2625



jrp